



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,287	02/28/2002	David Wigley	304122US8	2035
22850 7590 05/25/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER POPHAM, JEFFREY D	
			ART UNIT 2137	PAPER NUMBER
			NOTIFICATION DATE 05/25/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

**Office Action Summary**

Application No.

10/086,287

Applicant(s)

WIGLEY ET AL.

Examiner

Jeffrey D. Popham

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                 | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                                  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____   |

**Remarks**

Claims 1-29 are pending.

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/16/2007 has been entered.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 8, 9, 11-16, 18, 19, 21-25, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kester (U.S. Patent 7,194,464) in view of Gusler (U.S. Patent 6,917,980).

Regarding Claim 1,

Kester discloses a computer-based method for restricting access to network accessible digital information by network users of at least one subscriber network, the method comprising the steps of:

Monitoring at a subscriber network requests by the network users for digital information (Column 3, line 37 to Column 4, line 26);

Determining whether a location indicator associated with a request is included in a database of restricted location indicators maintained at the subscriber network and denying the request where the location indicator is in the database (Column 4, line 59 to Column 5, line 38);

Retrieving at the subscriber network digital information stored at a location corresponding to the location indicator and initially analyzing content of information at the location in the event that the location indicator is not in the database and denying or fulfilling the request based on the initial analysis (Column 5, lines 39-67; and Column 6, line 55 to Column 7, line 16);

Periodically forwarding location indicators associated with requests and not in the database from the subscriber network to a remote network node (Column 6, lines 16-32);

Retrieving at the remote network node information stored at a location corresponding to the forwarded location indicator and further analyzing a content type of the retrieved information (Column 7, line 17 to Column 8, line 45); and

Periodically dispatching to the subscriber network from the remote node location indicators found by the further analysis to have restricted type content stored therein, for inclusion in the database of restricted location indicators maintained at the subscriber network (Column 7, line 17 to Column 8, line 45);

But does not explicitly disclose that the initial analysis is performed for a predetermined maximum time.

Gusler, however, discloses that the initial analysis is performed for a predetermined maximum time (Abstract; Column 5, line 63 to Column 6, line 33; and Column 7, lines 10-50). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the dynamic filtering system of Gusler into the gateway content filtering system of Kester in order to allow the system to provide dynamic and intelligent analysis of content from each source, as opposed to a decision based on a single document, thereby providing a more complete analysis of what content is allowed from what sources.

Regarding Claim 11,

Claim 11 is a system claim that corresponds to method claim 1 and is rejected for the same reasons.

Regarding Claim 21,

Claim 21 is a computer program product claim that corresponds to method claim 1 and is rejected for the same reasons.

Regarding Claim 2,

Kester as modified by Gusler discloses the method of claim 1, in addition, Kester discloses that the digital information includes content accessible via the Internet (Column 4, line 59 to Column 5, line 38).

Regarding Claim 12,

Claim 12 is a system claim that corresponds to method claim 2 and is rejected for the same reasons.

Regarding Claim 22,

Claim 22 is a computer program product claim that correspond go method claim 2 and is rejected for the same reasons.

Regarding Claim 3,

Kester as modified by Gusler discloses the method of claim 1, in addition, Kester discloses that the subscriber network is a LAN wherein client computers communicate via the Ethernet access protocol (Column 3, lines 21-30).

Regarding Claim 13,

Claim 13 is a system claim that corresponds to method claim 3 and is rejected for the same reasons.

Regarding Claim 23,

Claim 23 is a computer program product claim that corresponds to method claim 3 and is rejected for the same reasons.

Regarding Claim 4,

Kester as modified by Gusler discloses the method of claim 3, in addition, Kester discloses that searching of the database and the initial content analysis occur at an Ethernet bridge installed at the subscriber network (Column 3, lines 21-49).

Regarding Claim 14,

Claim 14 is a system claim that corresponds to method claim 4 and is rejected for the same reasons.

Regarding Claim 5,

Kester as modified by Gusler discloses the method of claim 1, in addition, Kester discloses that the location indicator is a URL (Column 4, line 59 to Column 5, line 38).

Regarding Claim 15,

Claim 15 is a system claim that corresponds to method claim 5 and is rejected for the same reasons.

Regarding Claim 24,

Claim 24 is a computer program product claim that corresponds to method claim 5 and is rejected for the same reasons.

Regarding Claim 6,

Kester as modified by Gusler discloses the method of claim 4, in addition, Kester discloses that the location indicator is extracted from an Ethernet frame originating from a client computer of a network user (Column 3, lines 21-30; and Column 4, line 59 to Column 5, line 38).

Regarding Claim 16,

Claim 16 is a system claim that corresponds to method claim 6 and is rejected for the same reasons.

Regarding Claim 25,

Claim 25 is a computer program product claim that corresponds to method claim 6 and is rejected for the same reasons.

Regarding Claim 8,

Kester as modified by Gusler discloses the method of claim 1, in addition, Kester discloses determining whether the location indicator is in an exception list before determining whether it is in the database and fulfilling the request in the event that the location indicator is in the exception list (Column 1, line 53 to Column 2, line 12; and Column 4, lines 13-58).

Regarding Claim 18,

Claim 18 is a system claim that corresponds to method claim 8 and is rejected for the same reasons.

Regarding Claim 27,

Claim 27 is a computer program product claim that corresponds to method claim 8 and is rejected for the same reasons.

Regarding Claim 9,

Kester as modified by Gusler discloses the method of claim 1, in addition, Kester discloses that the request is fulfilled in the event that the



location indicator is in the database but is a permitted category of restricted content (Column 1, line 53 to Column 2, line 12; and Column 4, lines 13-58).

Regarding Claim 19,

Claim 19 is a system claim that corresponds to method claim 9 and is rejected for the same reasons.

Regarding Claim 28,

Claim 28 is a computer program product claim that corresponds to method claim 9 and is rejected for the same reasons.

3. Claims 7, 17, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kester in view of Gusler, further in view of Maurer (Maurer et al., "Hash Table Methods", 1975, pp. 5-19).

Regarding Claim 7,

Kester and modified by Gusler does not disclose that the database is stored in encrypted form and is searched for an encrypted location indicator.

Maurer, however, discloses that the database is stored in encrypted form and is searched for an encrypted location indicator Pages 5-7, Introduction). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the hash table of Maurer into the gateway content filtering system of Kester as modified by Gusler

in order to provide a faster method of storing and searching for a specified URL within an organized database of hashes.

Regarding Claim 17,

Claim 17 is a system claim that corresponds to method claim 7 and is rejected for the same reasons.

Regarding Claim 26,

Claim 26 is a computer program product claim that corresponds to method claim 7 and is rejected for the same reasons.

4. Claims 10, 20, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kester in view of Gusler, further in view of Willens (U.S. Patent 5,889,958).

Regarding Claim 10,

Kester as modified by Gusler does not disclose that forwarding and updating of the databases are performed on at least an hourly basis.

Willens, however, discloses that forwarding and updating of the databases are performed on at least an hourly basis (Column 4, lines 26-45; and Column 5, lines 38-46). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the remote access control system of Willens into the gateway content filtering system of Kester as modified by Gusler in order to keep the database more up to date, thereby providing better filtering and/or to allow

Art Unit: 2137

the system to be run on a client that does not have a hard drive (dedicated Internet terminal).

Regarding Claim 20,

Claim 20 is a system claim that corresponds to method claim 10 and is rejected for the same reasons.

Regarding Claim 29,

Claim 29 is a computer program product claim that corresponds to method claim 10 and is rejected for the same reasons.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey D. Popham whose telephone number is (571)-272-7215. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571)272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2137

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeffrey D Popham  
Examiner  
Art Unit 2137

  
EMMANUEL L. MOISE  
SUPERVISORY PATENT EXAMINER